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Voluntary - Public

Date: 5/10/2019

GAIN Report Number: CH19029

China - Peoples Republic of

Post: Beijing

GACC Changes Policy on Packaged Food Labels for First Shipments

Report Categories:

Policy and Program Announcements

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Report Highlights:

On April 22, 2019, the General Administration of China Customs (GACC) issued a Public Notice concerning the Oversight of Labels for Imported and Exported Pre-packaged Foods (GACC Public Notice [2019] No.70). According to the notice, beginning on October 1, 2019, companies are no longer required to file imported food labels with GACC before the first shipment. The new regulation will reduce the administrative burden on traders shipping packaged food to China. However, upon detection of any labelling non-conformities, GACC may take action pursuant to the relevant laws and regulations, including detaining, destroying, or rejecting the non-compliant shipment. This report contains an unofficial translation of the GACC Notice.

General Information:

BEGIN TRANSLATION

Public Notice concerning the Oversight of Labels for Imported and Exported Pre-packaged Foods

Public Notice [2019] No. 70 of the General Administration of China Customs (GACC)

In order to implement the State Council's requirements for deepening the reforms to “delegate power, streamline administration and optimize government services”, and to further improve the efficiency of customs clearance, the General Administration of China Customs (GACC) is making the following announcement concerning oversight of labels of imported/exported pre-packaged foods. Legal basis of this announcement are the relevant provisions in the Food Safety Law and the Law on the Inspection of Import and Export Commodities, and their implementing rules.

1. Starting from October 1, 2019, the record filing requirement for labels of pre-packaged foods that are imported for the first time is cancelled. As one of the items of food inspection (by the customs), labels of imported pre-packaged foods will be inspected by the customs in accordance with relevant laws and administrative regulations for food safety and imported/exported commodity inspection.
2. Importers are responsible to review the Chinese label of their imported pre-packaged foods, make sure the Chinese labels comply with requirements provided in relevant laws, administrative regulations and national food safety standards. If the labels fail to pass the review, the products are not allowed to be imported.
3. If the imported pre-packaged food is selected for on-site inspection or laboratory testing, the importer should submit the following documents to the customs: conformity documents, the original label and its translation, sample of the Chinese label and other supporting materials.
4. Receiving notifications by other government agencies or consumer reports that label of imported pre-packaged food violating relevant provisions, the customs should verify the issue. Confirming the violation, the customs will take actions on the product in accordance with relevant laws.
5. For pre-packaged foods that enter China as displays, samples, sold in duty-free shops (except the offshore duty-free shops), used by the embassies or consulates, carried by travelers, or enter China via mail, express mail, cross-border e-commerce, etc., oversight of their labels are subject to relevant provisions.
6. Producers of exported pre-packaged foods should ensure labels of their exported pre-packaged foods comply with standards of the importing country/region or the contract requirements.
7. The following public notices will be abolished on October 1, 2019: Public Notice concerning Adjusting Review System for Labels of Imported/Exported Foods and Cosmetics (former AQSIQ Public Notice [2006] No.44), Public Notice concerning Running the Management System of Imported Pre-packaged Food Labels (former AQSIQ Public Notice [2011] No.59), Public Notice

concerning Implementing the “Administrative Measures for Oversight of Imported/Exported Pre-packaged Food Labels” (former AQSIQ Public Notice [2012] No.27. Labels of imported pre-packaged foods that have filed for records will be abolished at the same time.

It is hereby announced.

General Administration of China Customs

April 22, 2019

END OF TRANSLATION